

EXHIBIT 1

In The Matter Of:

Leadership Studies

v.

Blanchard Training

Kenneth Blanchard, Ph.D. VOL I

August 2, 2017



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BH CDR Job # **1065227**

number of pages 296

Word Index Included with this Condensed Transcript.

IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

-----X
LEADERSHIP STUDIES, INC., a
California corporation,
Plaintiff,
- against -

BLANCHARD TRAINING AND DEVELOPMENT,
INC., a California corporation, and
DOES 1-10, INCLUSIVE,
Defendants.

Case No. 15CV1831 WQH-KSC

-----X
BLANCHARD TRAINING AND DEVELOPMENT,
INCORPORATED,
Counterclaim-Plaintiff
- against -

LEADERSHIP STUDIES, INC.,
Counterclaim-Defendant,
-----X

1114 Avenue of the Americas
New York, New York

August 2, 2017
8:10 a.m.

Videotaped Deposition of Defendant by KENNETH
BLANCHARD, PhD taken pursuant to Notice, before Rita
Persichetty, a Notary Public of the State of New
York.

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1 A P P E A R A N C E S:

2

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21

22

23

24

25

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1 A P P E A R A N C E S: (Cont'd)

2

3 ALSO PRESENT:

4 RICHARD ANDREWS

5 MAUREEN SHRIVER, Via teleconference

6 GLENNA WITHEM, Via teleconference

7 DAVID JIMENEZ, Videographer

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1 reached some kind of agreement so that the
2 lawsuit against you was not pursued?

3 A Yes. And that we -- and they
4 wouldn't sue us again or in the future.

5 Q And with whom did you think you made
6 that agreement?

7 A I assumed it was with Paul.

8 Q With Paul personally?

9 A I don't know. Paul and the Center,
10 whatever, whoever was suing.

11 Q And, in fact, isn't it correct that
12 you were of the opinion that that agreement was
13 with all of Dr. Hersey's -- Dr. Hersey's
14 entities, correct?

15 MR. STRAUSS: Just asked and answered
16 it. He said with the plaintiff.

17 MS. DESOER: I'd like to mark as
18 Exhibit 132 a one-page letter from
19 Dr. Blanchard to Ralph Hersey, and that
20 letter is dated May 18, 1984.

21 (Exhibit 132, One-page letter dated
22 5/18/84, marked for identification.)

23 Q Dr. Blanchard, have you had an
24 opportunity to review this document that was
25 marked Exhibit 132?

12:35:51
12:35:53
12:35:55
12:35:57
12:36:09
12:36:11
12:36:15
12:36:18
12:36:23
12:36:28
12:36:35
12:36:39
12:36:41
12:36:48
12:36:51
12:36:52
12:37:06
12:37:06
12:37:15
12:37:17
12:37:17
12:37:17
12:38:36
12:38:37
12:38:38

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1	A	Yes. Uh-huh.	12:38:40
2	Q	And do you recognize the letter as	12:38:41
3		one you wrote?	12:38:43
4	A	Again, I don't remember it, but I	12:38:45
5		recognize it now that I read it.	12:38:46
6	Q	Now that you read it, does it refresh	12:38:49
7		your recollection that you wrote that letter?	12:38:51
8	A	Yes.	12:38:53
9	Q	Okay. Is that your signature, "Ken,"	12:38:54
10		at the bottom?	12:38:55
11	A	Yes.	12:38:56
12	Q	Now, this is a letter you wrote to	12:38:59
13		Ralph Hersey, and he was the brother of Paul	12:39:01
14		Hersey, correct?	12:39:03
15	A	Yes. Uh-huh.	12:39:05
16	Q	"Yes"?	12:39:05
17	A	Yes.	12:39:06
18	Q	And in this second full paragraph, it	12:39:07
19		says, "I'm sure you're aware of the June 1982	12:39:10
20		agreement which John Myers and I signed."	12:39:13
21		Does that refresh your recollection	12:39:17
22		of the timing --	12:39:18
23	A	Yes.	12:39:19
24	Q	-- of the agreement?	12:39:19
25	A	Yes.	12:39:20

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1 Q Okay. And it says that you would not
2 pursue violation of trademark actions now or in
3 the future as it refers to Situational
4 Leadership.

5 Do you see that?

6 A Yes. Uh-huh.

7 Q And when you referred to "you," you
8 were -- to whom were you referring as "you"?

9 A I would assume the Center for
10 Leadership Studies, Paul, anybody over there.

11 Q And in this letter you recognize at
12 the time it would be difficult for either of
13 you to enforce a trademark against a third
14 party, right?

15 A Yes. That's the whole motivation for
16 that, is that if we didn't have a working
17 relationship, somebody could use it, and if we
18 weren't together on it, we couldn't enforce it.
19 So that's the whole motivation.

20 Q And you realized that the 1982 letter
21 agreement did not provide anyone specifically
22 the right to enforce, correct?

23 A I don't --

24 MR. STRAUSS: The document speaks for
25 itself.

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1 Q I'm asking what he understood.

12:40:28

2 MR. STRAUSS: And it calls for a
3 legal conclusion, and I'm making my
4 objections.

12:40:30

12:40:31

12:40:35

5 Q You can answer the question,
6 Dr. Blanchard.

12:40:35

12:40:36

7 A Which document are you talking about?

12:40:38

8 Q I'm asking whether at the time you
9 wrote this letter in 1984 you understood that
10 the 1982 agreement did not give explicitly any
11 party the right to enforce the mark.

12:40:39

12:40:39

12:40:42

12:40:47

12 A I assume that --

12:40:49

13 MR. STRAUSS: I'll make the same
14 objections.

12:40:50

12:40:51

15 THE WITNESS: The document speaks for
16 itself.

12:40:53

12:40:54

17 Q Dr. Blanchard, I would like my --
18 it's not about a document. It was about your
19 understanding in 1984.

12:40:55

12:40:57

12:40:59

20 MR. STRAUSS: If you remember.

12:41:01

21 A Yeah, I assume that must have been,
22 yeah, because I don't see anything in here in
23 my letter to Ralph about that. So it was just
24 that we were going to not sue each other, stay
25 together.

12:41:02

12:41:03

12:41:05

12:41:08

12:41:13

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1 Q Okay. What it says is that there 12:41:13
2 needs to be some way to protect the mark, 12:41:16
3 correct? 12:41:17

4 A That's right, yeah. 12:41:18

5 Q And there was not at that point any 12:41:19
6 way for Blanchard Training to protect the mark? 12:41:21

7 A That's right, yeah. 12:41:25

8 MR. STRAUSS: Objection. The 12:41:25
9 documents speaks for itself. 12:41:25

10 MS. DESOER: I'm not talking about 12:41:26
11 the document. 12:41:26

12 MR. STRAUSS: You just read from it. 12:41:27

13 MS. DESOER: No, I didn't. This was 12:41:28
14 not reading from the document. 12:41:29

15 MR. STRAUSS: What are you reading 12:41:30
16 from? You said, it said. 12:41:31

17 MS. DESOER: Generally. 12:41:34

18 MR. STRAUSS: Oh, so you're 12:41:35
19 paraphrasing it? 12:41:36

20 MS. DESOER: Yeah. 12:41:38

21 MR. STRAUSS: The document speaks for 12:41:38
22 itself. 12:41:39

23 MS. DESOER: Thank you. 12:41:40

24 MR. STRAUSS: Objection. 12:41:42

25 MS. DESOER: You think we should just 12:41:44

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1	break now for --	12:41:46
2	MR. STRAUSS: Why don't you finish on	12:41:49
3	this, and we'll break.	12:41:50
4	MS. DESOER: I'm finished on that	12:41:50
5	letter.	12:41:51
6	MR. STRAUSS: Okay. Yeah. Great.	12:41:51
7	Our food should be here.	12:41:52
8	THE VIDEOGRAPHER: We're now going	12:41:55
9	off the record at approximately 12:41 p.m.	12:41:56
10	(Luncheon recess taken at 12:41 p.m.)	12:41:58
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

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1

2

3

A F T E R N O O N S E S S I O N

12:41:58

4

(Time noted: 1:15 p.m.)

12:41:58

5

K E N N E T H B L A N C H A R D ,

12:41:58

6

resumed and testified as follows:

12:41:58

7

CONTINUED EXAMINATION

12:41:58

8

BY MS. DESOER:

12:41:58

9

THE VIDEOGRAPHER: We're now back on

13:15:56

10

the record at approximately 1:15 p.m.

13:15:56

11

Q Dr. Blanchard, at some point you

13:16:03

12

learned that Dr. Hersey was going to be

13:16:04

13

publishing a book called "The Situational

13:16:07

14

Leader"?

13:16:09

15

A Yes.

13:16:10

16

Q How did you hear about that?

13:16:10

17

A From talking to him.

13:16:11

18

Q Do you recall approximately when you

13:16:14

19

learned about it?

13:16:15

20

A I'm sure it was before the book came

13:16:17

21

out and...

13:16:19

22

Q Well, how long before the book came

13:16:23

23

out did you know that he was going to publish

13:16:25

24

it?

13:16:26

25

A Probably a couple years. You know,

13:16:28

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1	it takes a while. We were working on	13:16:30
2	"Leadership" and "The One Minute Manager" at	13:16:35
3	the same time.	13:16:38
4	Q And that was the third book in The	13:16:39
5	One Minute Manager series?	13:16:42
6	A Yes. Uh-huh.	13:16:44
7	Q So you published The One Minute	13:16:44
8	Manager itself in 1982?	13:16:46
9	A Uh-huh.	13:16:48
10	Q Is that "yes"?	13:16:49
11	A Yes.	13:16:49
12	Q And the -- what was the second one?	13:16:50
13	A Putting The One Minute Manager where	13:16:52
14	it came out probably in '83.	13:16:54
15	Q Dr. Blanchard, if you're getting	13:17:03
16	tired and can't give me your best testimony,	13:17:04
17	I'd like you to tell me. Okay?	13:17:06
18	A Sure. Okay.	13:17:08
19	Q I just want to make sure that we're	13:17:09
20	clear that I --	13:17:11
21	MR. STRAUSS: I was just giving him a	13:17:11
22	signal to keep his voice up.	13:17:12
23	MS. DESOER: Right. I understand,	13:17:15
24	but sometimes people's voices drop when	13:17:15
25	they're getting tired.	13:17:18

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1	Q	So I just want to go on the record	13:17:19
2		saying that, you know, if you ever feel you	13:17:22
3		can't give me your best testimony, let me	13:17:22
4		know --	13:17:24
5	A	Sure. Yup.	13:17:24
6	Q	-- because I don't want you to then	13:17:25
7		say "I was too tired, and I didn't remember"	13:17:27
8		something and "I now remember."	13:17:31
9		Do you understand?	13:17:32
10	A	Sure. Thank you.	13:17:33
11	Q	How did it come about that the	13:17:39
12		Zigarmis wrote Leadership and the One Minute	13:17:40
13		Manager with you?	13:17:45
14	A	One of the things is we decided not	13:17:47
15		to make our founding associates owners of the	13:17:48
16		business because it would have gotten	13:17:52
17		complicated. But I wanted to find a way to get	13:17:54
18		everybody income, and so eventually I wrote a	13:17:56
19		book with every one of them.	13:17:59
20		And so the first ones I did was with	13:18:00
21		Pat and Drea because they made a commitment and	13:18:04
22		flew out and came to California, quit jobs, and	13:18:08
23		the others all stayed back in Massachusetts,	13:18:10
24		and so I felt I owed them something. And they	13:18:12
25		were both of my doctoral students.	13:18:21

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1 Q Who physically wrote Leadership and
2 the One Minute Manager?

13:18:27

13:18:30

3 A We all did it together, and we might
4 write different sections and all.

13:18:34

13:18:37

5 Q Didn't Drea write most of the first
6 drafts?

13:18:42

13:18:45

7 A No, I don't think so. He might have
8 thought he did. Pat was a better writer than
9 Drea. If somebody was doing more, it would
10 have been her.

13:18:46

13:18:48

13:18:55

13:18:57

11 Q Did you and Dr. Hersey discuss the
12 fact that your books were scheduled to be
13 published around the same time?

13:18:59

13:19:02

13:19:04

14 A I'm sure we did, because we agreed to
15 back ours off and let his come out first.

13:19:05

13:19:08

16 Q And you mean BTD agreed to back off
17 on Leadership and the One Minute Manager to
18 allow Dr. Hersey's book to come out first,
19 correct?

13:19:12

13:19:16

13:19:18

13:19:22

20 A Correct.

13:19:23

21 Q And that actually didn't happen, did
22 it?

13:19:23

13:19:25

23 A It did.

13:19:25

24 Q Isn't it correct that they were
25 published within the same month?

13:19:26

13:19:28

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1 A I don't know. His came out first,
2 though.

13:19:29

13:19:31

[REDACTED]

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[REDACTED]

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1 MS. DESOER: Okay. I'm going to mark 13:24:31
2 as Exhibit 135 a two-page document that is 13:24:33
3 a letter from Ms. McBride to Dr. Hersey, 13:24:46
4 and it starts with Blanchard 486. 13:24:49

5 (Exhibit 135, two-page letter Bates 13:24:52
6 stamped 486, marked for identification.) 13:24:52

7 Q Dr. Blanchard, does this look like 13:25:10
8 the same letter that is attached to your letter 13:25:13
9 to Ms. McBride? 13:25:14

10 A Yes. She follows directions very 13:25:16
11 well. 13:25:17

12 Q Do you know why it was dated a month 13:25:18
13 after your letter to her? 13:25:20

14 A I don't. She might have been on 13:25:24
15 vacation. 13:25:29

16 Q Okay. I don't want you to speculate. 13:25:30
17 You don't know why it was late -- not 13:25:31
18 late but a month later? 13:25:34

19 A Right. 13:25:36

20 Q So do you recall that Dr. Hersey 13:25:37
21 originally self-published his book and then got 13:25:43
22 a deal to have it published by Warner Books? 13:25:45

23 A Uh-huh. 13:25:52

24 Q Yes; you recall that? 13:25:52

25 A Yes. 13:25:53

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1 Q So originally it was self-published, 13:25:54
2 but then he got the deal to go international 13:25:56
3 publication, correct? 13:25:59

4 A Yeah, yeah. When did the 13:25:59
5 self-publish come out? What date was that? 13:26:03

6 Q I'm not here to answer questions, but 13:26:06
7 I understand it was sometime in 1984. 13:26:09

8 A Yeah. Okay. 13:26:26

9 Q I'm going to mark as Exhibit 136 a 13:26:26
10 three-page document. It includes an envelope 13:26:29
11 at the end that starts with Blanchard 489, and 13:26:34
12 it's to Dr. Blanchard from Walton Wahn, 13:26:39
13 W-a-h-n-n. 13:26:42

14 (Exhibit 136, three-page document 13:26:44
15 Bates stamped Blanchard 489, marked for 13:26:44
16 identification.) 13:26:44

17 Q Do you recall receiving this letter, 13:28:10
18 Dr. Blanchard? 13:28:11

19 A No. It was certified, though. I 13:28:12
20 don't recall it. 13:28:13

21 Q Do you recall there being a dispute 13:28:15
22 between yourself and Dr. Hersey about the 13:28:17
23 publication dates on The Situational Leader as 13:28:19
24 of the end of 1984? 13:28:22

25 A I don't remember that, but I remember 13:28:24

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1 discussions, but I don't remember it.

13:28:26

2 Q Do you remember that he was claiming
3 you were breaching an oral agreement with him
4 to hold off on the publication?

13:28:29

13:28:31

13:28:33

5 A The -- I assume that was what the
6 issue was.

13:28:36

13:28:42

7 MR. STRAUSS: No, don't assume. She
8 asked if you remember.

13:28:43

13:28:44

9 THE WITNESS: I don't remember.

13:28:46

10 Q And you don't recall the publication
11 date for Leadership and the One Minute Manager?

13:28:47

13:28:48

12 A I don't.

13:28:51

13 Q And you don't recall what date The
14 Situational Leader was published nationally?

13:28:52

13:28:53

15 A That was different. Is that the
16 Warner one or his self-published one?

13:28:55

13:29:00

17 Q The Warner one.

13:29:03

18 A Yeah, which is different than...

13:29:04

19 So he got the self one out with

13:29:05

20 plenty of time before ours.

13:29:09

21 Q But you knew he was going to get a
22 national -- when he got the national publisher
23 was when it was going to get wider
24 distribution, right?

13:29:12

13:29:13

13:29:16

13:29:20

25 A Uh-huh. Sure.

13:29:20

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1 Q All right. I'm going to change
2 subjects a little bit here.

3 You are aware, of course, of the 1987
4 license agreement, correct?

5 A Yes.

6 Q Okay. And if you need to refer to
7 it, it is Exhibit number 2 in your witness
8 binder in front of you.

9 A Uh-huh.

10 Q Now, would you agree with me that the
11 parties negotiated several -- for several years
12 before reaching the terms of this license
13 agreement?

14 A What was the question, please?

15 Q Would you agree with me that the
16 parties negotiated several years before
17 entering into this license agreement?

18 A Yes.

19 Q Who were the principal negotiators
20 for Blanchard?

21 A I don't recall.

22 Q Were you one of the principal
23 negotiators?

24 A I've never been much of a negotiator,
25 so I don't know whether Dale Truax was there or

13:29:25

13:29:28

13:29:29

13:29:42

13:29:43

13:29:43

13:29:45

13:29:48

13:29:50

13:29:56

13:30:02

13:30:05

13:30:08

13:30:08

13:30:10

13:30:11

13:30:14

13:30:16

13:30:17

13:30:19

13:30:21

13:30:24

13:30:25

13:30:26

13:30:28

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1 who was there.

13:30:31

2 Q Did Dale Truax -- what was his role
3 between 1985 and 1987?

13:30:32

13:30:35

4 A I don't know. He did a lot of work
5 with international and a lot of different
6 things. I don't know exactly. He didn't
7 report to me.

13:30:41

13:30:42

13:30:45

13:30:47

8 Q Who did he report to?

13:30:49

9 A I don't know.

13:30:51

10 Q Neil Martin was your attorney at the
11 time?

13:30:56

13:30:58

12 A Yes.

13:30:58

13 Q Did Neil Martin have authority to act
14 on your behalf?

13:30:59

13:31:01

15 A I don't know.

13:31:04

16 Q You didn't authorize your attorney to
17 act on your behalf?

13:31:07

13:31:09

18 MR. STRAUSS: It's vague as to what.

13:31:10

19 Q In regard to negotiating a license
20 agreement with --

13:31:12

13:31:15

21 A If he did, I must have given him the
22 power to do that.

13:31:17

13:31:19

23 Q That would be your assumption?

13:31:20

24 A Yes.

13:31:21

25 Q He wouldn't have negotiated a

13:31:22

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1	contract without your permission, correct?	13:31:23
2	A No.	13:31:25
3	Q And you don't know what Dale Truax's	13:31:27
4	role was?	13:31:29
5	A Not exactly, no.	13:31:30
6	Q Is there anyone other than Dale Truax	13:31:31
7	that you thought might have been involved in	13:31:33
8	negotiating the 1987 license agreement?	13:31:35
9	A I don't know. My wife might have	13:31:37
10	been. I don't know.	13:31:39
11	Q Anybody else other than your wife and	13:31:41
12	Dale Truax?	13:31:42
13	A Not that I can recall. I don't know.	13:31:45
14	Q Who was on the leadership team in	13:31:50
15	1985 to 1987?	13:31:53
16	A I don't know.	13:31:55
17	Q Do you know who would know?	13:31:58
18	A Margie would know.	13:31:59
19	Q And if Margie didn't know, is there	13:32:01
20	anyone else who might know?	13:32:02
21	A I don't know if Tom was with us yet.	13:32:05
22	Q Anyone else that you know that might	13:32:08
23	know this answer?	13:32:09
24	A I don't know.	13:32:16
25	Q Now, do you recall that you had	13:32:27

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1	several more disputes with the Hersey	13:32:29
2	organization Center for Leadership Studies and	13:32:32
3	Blanchard Training in the 1980s after the 1982	13:32:39
4	lawsuit?	13:32:43
5	A Uh-huh.	13:32:44
6	Q Do you recall that?	13:32:44
7	A Yes.	13:32:45
8	Q Do you recall ever receiving a copy	13:32:46
9	of a draft lawsuit on or about February 19,	13:32:48
10	1985?	13:32:51
11	A I don't recall it.	13:32:52
12	Q I'm going to mark this as	13:32:53
13	Exhibit 137.	13:32:54
14	(Exhibit 137, Civil complaint Bates	13:32:55
15	stamped Blanchard 49460, marked for	13:32:55
16	identification.)	13:32:55
17	Q It's a civil complaint with the --	13:33:07
18	during which -- bearing the Bates number	13:33:09
19	Blanchard 49460.	13:33:15
20	Dr. Blanchard, does this document	13:33:44
21	refresh your recollection as to if you're aware	13:33:45
22	that there was a draft lawsuit filed or	13:33:47
23	delivered to you?	13:33:50
24	A This tells me there was. I don't --	13:33:53
25	I wouldn't have recalled it a couple weeks	13:33:54

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1 before, no.

13:33:58

2 Q That's fine. If you look at the
3 last page, there's some -- the very last page
4 of the document.

13:33:58

13:34:00

13:34:03

5 A Yes.

13:34:03

6 Q There is some handwriting on that
7 document. Do you recognize that?

13:34:12

13:34:14

8 A It says lawyer fee and all that.

13:34:15

9 Q Yes. Is that your handwriting?

13:34:17

10 A No.

13:34:18

11 Q I didn't think so, but I wanted to
12 check. Okay. Thank you.

13:34:18

13:34:19

[REDACTED]

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[REDACTED]

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[REDACTED]

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•	•	[REDACTED]	[REDACTED]
•	•	[REDACTED]	[REDACTED]
•	•	[REDACTED]	[REDACTED]
•	•	[REDACTED]	[REDACTED]

5	MR. STRAUSS: I'll have a belated	13:39:24
6	objection to that last question that the	13:39:26
7	document speaks for itself.	13:39:28

[illegible]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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• [REDACTED]
• [REDACTED]
• [REDACTED]
• [REDACTED]
• [REDACTED]
• [REDACTED]
• [REDACTED]
• [REDACTED]
• [REDACTED]
• [REDACTED]

10 Q I'm sure it was excellent. I'm going
11 to mark as Exhibit 141 a two-page document
12 which is a memo to associates from Ken
13 Blanchard entitled "good news about Situational
14 Leadership."

15 (Exhibit 141, Two-page memo entitled,
16 Good news about Situational Leadership,
17 marked for identification.)

18 A Go ahead.

19 Q Dr. Blanchard, do you recognize this
20 memo that is marked as Exhibit 141?

21 A Yes.

22 Q Okay. And did you write it?

23 A Document speaks for itself. I must
24 have.

25 Q You're agreeing that you wrote it,

13:52:59
13:53:46
13:53:52
13:53:56
13:53:58
13:54:00
13:54:00
13:54:00
13:55:20
13:55:22
13:55:24
13:55:28
13:55:29
13:55:35
13:55:36
13:55:37

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1 right?

13:55:39

2 A Yup.

13:55:39

3 Q And who were the associates? Who did
4 you consider associates?

13:55:40

13:55:41

5 A That was the same group which is the
6 people who deliver our product and our
7 salespeople and our product managers.

13:55:42

13:55:46

13:55:48

8 Q Did it include the entire staff or
9 just those people?

13:55:54

13:55:56

10 A Since it says "associates," I think
11 it probably went pretty wide.

13:55:58

13:56:02

12 Q And is there anything in this memo
13 that you now think you should not or was
14 incorrect when you wrote it?

13:56:08

13:56:14

13:56:16

15 A No, I think what this does is it
16 settles the disputes we were having because I
17 gave Paul what he wanted, which is me to stay
18 on as a co-author, and he gave me what we
19 wanted, which is a license-free agreement to
20 use Situational Leadership. And then we agreed
21 without inspection because we didn't want to
22 get into each other's business. So I think
23 it's great.

13:56:18

13:56:21

13:56:23

13:56:27

13:56:29

13:56:32

13:56:37

13:56:39

13:56:41

24 Q And the license agreement -- 1987
25 license agreement stated that you had to --

13:56:43

13:56:48

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1 that Blanchard Training's product had to be at
2 least as good as it was in 1987, correct?

3 A Yes.

4 Q You think you've ever had product
5 that was less good than what it was in 1987?

6 A Our products get better all the time.

7 Q And your -- both you and Dr. Hersey
8 generally know what the other person is doing
9 in the marketplace, correct?

10 A Yes.

11 Q You both have booths at ATD now --

12 A Yup.

13 Q -- and you see the kind of marketing
14 and the kind of materials, correct?

15 A Yes.

16 Q Even though some of it's proprietary
17 and you wouldn't see it; and they wouldn't see
18 your materials, correct?

19 A Right.

20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]

13:56:50

13:56:53

13:56:57

13:56:57

13:56:59

13:57:03

13:57:04

13:57:07

13:57:10

13:57:11

13:57:11

13:57:15

13:57:15

13:57:16

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13:57:22

13:57:23

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[REDACTED]

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